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MEMO ENDORSED

June 25, 2008

BY HAN

Honorable Denise L. Cote
United States District Judge
Southern District of New York
500 Pearl Street, Room 1040
New York, NY 10007

USDC SDNY
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DATE FILED: 6/26/08

Re: *Antonio Rivera, et al. v. City of New York, et al.*, 07-CV-8061(DLC)(KNF)

Dear Judge Cote:

I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, attorney for defendants City of New York, Walter Ostermeir, Paul Zaino, Thomas Joyce, John Landolfi, Philip Birmingham, Michael O'Dougherty, Santos Roman and Steven Ramunno in the above-referenced matter. I write on behalf of both parties to request an extension of the fact discovery deadline, from June 27, 2008, to August 27, 2008. Should Your Honor grant this request, both parties further respectfully request that the Court enlarge the corresponding deadlines as set forth in the Your Honor's Pre-Trial Scheduling Order, dated January 18, 2008, by sixty (60) days. This is the first request for an extension of the discovery deadline.

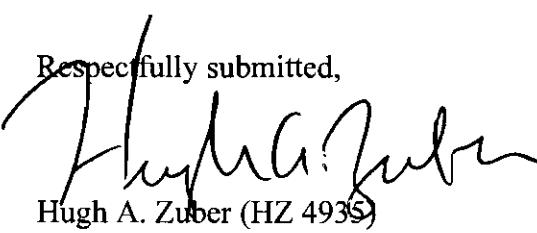
To date, plaintiffs and defendants have responded to the respective Requests for the Production of Documents. Defendants are preparing responses to plaintiffs' Interrogatories and should have them submitted to plaintiffs' counsel, Brett Klein, Esq., within five days. Recently, plaintiffs have amended their Complaint and now depositions for all parties are being contemplated and scheduled. Therefore, an enlargement of time will allow the parties to complete the depositions and any outstanding discovery issues. Finally, defendants have received a settlement demand and are presently working to get the authority to have a meaningful discussion with plaintiffs' counsel within the next few weeks.

As set forth above, the parties have been working together to resolve any disputes and to narrow the scope of this case. An extension of time would enable the parties to continue to conduct discovery while attempting to resolve this matter.

Therefore, for the reasons set forth above, the parties respectfully request that their time to complete fact discovery be extended to August 27, 2008, and if the Court grants this request, both parties further respectfully request that the Court enlarge the corresponding deadlines as set forth in the Your Honor's Pre-Trial Scheduling Order, dated January 18, 2008, by sixty (60) days.

Thank you for your consideration in this matter.

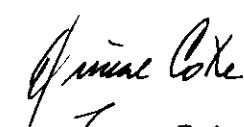
Respectfully submitted,


Hugh A. Zuber (HZ 4935)
Assistant Corporation Counsel

The dates in paragraphs 3-6
of the 1/18/08 Order are
each extended 60 days,
except that the Trial
Order is due 1/9/09. There
shall be no extension
of the 1/9/09 date.

The case is placed on
the February 2009 trial
ready calendar.

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Michael C. Cole
June 26, 2008